

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE )  
ANTITRUST LITIGATION )  
 ) No. 11-CV-2509-LHK

THIS DOCUMENT RELATES TO: )  
ALL ACTIONS. )

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VIDEO DEPOSITION OF BOB MANSFIELD

April 11, 2013

REPORTED BY: GINA V. CARBONE, CSR NO. 8249, RPR, CCRR

09:43:32 1 levels.

09:43:33 2 Q. Okay. So let me go back through that a little  
09:43:36 3 bit. With respect to the -- I guess the guidelines with  
09:43:40 4 respect to the focal process, you talked about the  
09:43:44 5 ability to do -- get their work done on time, other kind  
09:43:48 6 of -- maybe qualitative criteria. Are --

09:43:57 7 A. I think we try to make -- we try to make most  
09:43:59 8 of them, I think, more quantitative in the sense that  
09:44:04 9 results produced, we try to make a very objective, you  
09:44:08 10 know, kind of assessment.

09:44:10 11 Q. As part of your job, though, is it -- do you  
09:44:15 12 rate or evaluate the people that report to you against  
09:44:20 13 those guidelines or criteria?

09:44:23 14 A. That comes in two parts. There are people who  
09:44:26 15 directly report to me.

09:44:27 16 Q. Right.

09:44:28 17 A. And I do that -- for the people who directly  
09:44:31 18 report to me, I directly evaluate them. For the people  
09:44:36 19 who report -- in my -- in my team, I have managers and  
09:44:41 20 they manage managers and they manage other people. So  
09:44:44 21 there is a couple of lines of management between me and  
09:44:47 22 a larger group of people.

09:44:50 23 In that -- in that case, what I do is look at  
09:44:55 24 cases and evaluate the consistency of the work done from  
09:45:00 25 management team to management team.

09:45:01 1 Q. Okay.

09:45:01 2 A. To make sure that what one manager might think  
09:45:04 3 is the right interpretation of results and all is  
09:45:09 4 consistent with what other groups might think.

09:45:13 5 Q. Are the employees that you supervised as part  
09:45:20 6 of the focal process categorized or put into different  
09:45:24 7 groups based on their performance? For example, some  
09:45:27 8 kind of ranking from low to high, or maybe intermediate  
09:45:32 9 stages, along that kind of continuum?

09:45:35 10 A. Yes. There are -- there are sort of -- what's  
09:45:38 11 the right way to put it? Evaluation labels; like  
09:45:43 12 satisfactory performance or exceeds performance or  
09:45:46 13 exceptional. I mean, it's degrees of descriptors for  
09:45:53 14 that.

09:45:54 15 Q. As part of the focal process is everybody that  
09:45:58 16 you supervise put into one of those --

09:46:00 17 A. Yes.

09:46:00 18 Q. -- categories?

09:46:01 19 A. Yes.

09:46:03 20 Q. And is it part of what your managers do to  
09:46:07 21 rank the people that are their direct reports along  
09:46:10 22 those lines?

09:46:11 23 A. Yes.

09:46:13 24 Q. Now, do you see, from the HR department or any  
09:46:22 25 of the systems that they provide to you, any kind of

09:46:25 1 metrics about how your managers or you, yourself, rate  
09:46:34 2 particular -- rate the people that work for them? For  
09:46:37 3 example, do you see statistics that show, you know,  
09:46:42 4 whether managers rank everybody that works for them as  
09:46:46 5 high performers or low performers or how that kind of  
09:46:49 6 breaks down statistically?

09:46:52 7 MR. RILEY: Object to the form.

09:46:56 8 THE WITNESS: Your question is a little  
09:46:58 9 ambiguous to me. Maybe could you be more specific.

09:47:02 10 MR. SAVERI: Q. So I asked you some  
09:47:04 11 questions about the kind of rankings of employees  
09:47:07 12 that either work directly for you or for the people  
09:47:10 13 that work directly for you. And my question is  
09:47:13 14 whether, as part of the HR function at the company,  
09:47:17 15 whether there are statistical analyses or metrics  
09:47:22 16 that you see that show you how -- or to what extent  
09:47:29 17 managers put people in these different categories.

09:47:32 18 MR. RILEY: Object to the form.

09:47:33 19 THE WITNESS: Are you asking me do I see -- in  
09:47:37 20 managers that I -- that I have, do I see data that says  
09:47:43 21 this is the percentage of people that this manager rated  
09:47:47 22 as satisfactory or that this manager rated as exceeds  
09:47:51 23 or --

09:47:51 24 MR. SAVERI: Q. Yes.

09:47:52 25 A. -- excels?

09:47:53 1 I do see data that shows -- that shows those  
09:47:57 2 percentages.

09:48:07 3 Q. Does that take the form of some kind of report  
09:48:10 4 that's run on the compensation or HR application --  
09:48:17 5 electronic application that's provided to you or do you  
09:48:19 6 get pieces of paper? I mean, how do you see that?

09:48:22 7 A. Well, let me first say I'm not very familiar  
09:48:24 8 with Apple's HR systems.

09:48:27 9 Q. Right.

09:48:27 10 A. The things that I see mostly come to me in the  
09:48:29 11 form of what looks like an Excel spreadsheet on a piece  
09:48:33 12 of paper.

09:48:34 13 Q. Fair enough. And to the best of your  
09:48:36 14 recollection, who prepares that? Is that someone in the  
09:48:39 15 HR department?

09:48:41 16 A. Yes. I have a person who directly supports me  
09:48:45 17 in my organization that I pretty much work with  
09:48:49 18 exclusively in our HR group to get those bits of data.

09:48:54 19 Q. Okay. Now, you also talked about other pieces  
09:48:59 20 of information that come from I think you said finance.  
09:49:05 21 You mentioned that you also receive information that  
09:49:07 22 takes the form of budget guidelines.

09:49:10 23 A. Yes, that's correct.

09:49:11 24 Q. And what did you mean by that?

09:49:13 25 A. Well, just -- let's use the example of base

09:49:18 1 salary. So in our -- [REDACTED]  
09:49:25 2 [REDACTED]  
09:49:30 3 [REDACTED]  
09:49:37 4 [REDACTED]  
09:49:41 5 [REDACTED] [REDACTED]  
09:49:47 6 [REDACTED]  
09:49:49 7 [REDACTED]  
09:49:55 8 [REDACTED]  
09:49:58 9 [REDACTED] [REDACTED]  
09:50:06 10 [REDACTED]  
09:50:08 11 [REDACTED]

09:50:09 12 Q. And that comes to you from someone in the  
09:50:11 13 finance department?

09:50:17 14 A. I should be careful saying that. I think it  
09:50:20 15 either comes from finance or HR. But it's basically a  
09:50:23 16 financial number.

09:50:25 17 Q. And how do you receive it? I mean, do you  
09:50:27 18 access it in some kind of electronic application or is  
09:50:31 19 it another Excel spreadsheet that someone hands to you?

09:50:34 20 A. Well, I think that specific number is just  
09:50:36 21 given to me as, you know, maybe even an email that says  
09:50:43 22 the budget that you are starting to work with is this  
09:50:45 23 number.

09:50:48 24 Q. So how many people report -- well, prior to the  
09:50:52 25 time you announced your retirement, let's just use that,

09:50:54 1 how many people reported up to you?

09:50:57 2 A. I think in the [REDACTED].

09:51:09 3 Q. Were there -- were there rules or restrictions

09:51:15 4 that were given to you about how you could take that

09:51:19 5 budgeted amount and allocate it and distribute it across

09:51:23 6 the people that reported to you?

09:51:27 7 A. Sorry, say again.

09:51:30 8 Q. Well, were there rules or procedures that were

09:51:35 9 in place that limited you, as a manager, or guided you

09:51:39 10 as a manager, with respect to how your budgeted amount

09:51:44 11 of compensation could be allocated or distributed to the

09:51:49 12 people who reported to you?

09:51:53 13 A. I would say no.

09:51:54 14 Q. So was there any -- so could you have given all

09:51:57 15 that money to one person?

09:51:59 16 A. Well, I think -- I think I could -- I could do

09:52:06 17 anything, probably, but I don't -- I think that it's

09:52:10 18 subject to review by other people.

09:52:13 19 If I did something as ridiculous as took, you

09:52:18 20 know, [REDACTED] took that amount of

09:52:25 21 money and gave it to a single person, I think that I

09:52:29 22 probably would have been overruled if I did that. But

09:52:32 23 that represents a very ridiculous case.

09:52:34 24 Q. And I picked one to kind of establish kind of

09:52:37 25 the limit of the concept.

09:52:39 1 A. Yeah.

09:52:39 2 Q. Who, organizationally, had that kind of  
09:52:42 3 authority or ability to overrule that kind of decision?

09:52:50 4 A. Well, in our system, a manager's manager can  
09:52:55 5 overrule any decision made by a manager that's subject  
09:52:58 6 to escalation and all.

09:53:00 7 But in my case, Tim Cook would see what I did.  
09:53:02 8 And if he decided that it was not appropriate, he would  
09:53:05 9 change it.

09:53:07 10 Q. Now a number -- I think you also mentioned that  
09:53:09 11 you received some information regarding -- from HR about  
09:53:12 12 levels of people and ranges of salaries?

09:53:14 13 A. Right.

09:53:15 14 Q. What information did you -- could you describe  
09:53:18 15 that more for me.

09:53:20 16 A. Okay. To use -- we'll use an example of our  
09:53:27 17 engineering -- hardware engineering team.

09:53:30 18 We have levels of individual contributors.  
09:53:33 19 Just technical contributors in the company. There are  
09:53:37 20 levels of individual contributors. People come into the  
09:53:42 21 company maybe right out of school as, say, an ICT II or  
09:53:47 22 ICT III. They have a master's degree, maybe they come  
09:53:52 23 in as an ICT III. As they gain experience and expertise  
09:53:56 24 and all and are promoted by their managers, they move up  
09:54:00 25 through the ranks.



09:54:04 1 So if you -- if you looked in our system, you  
09:54:06 2 would find our roster of employees as a distribution of  
09:54:11 3 all those levels. And what we were provided by our HR  
09:54:18 4 team was some range guidelines for those particular  
09:54:27 5 levels.

09:54:30 6 [REDACTED]  
09:54:39 7 [REDACTED]  
09:54:46 8 [REDACTED] t  
09:54:49 9 [REDACTED]  
09:54:52 10 [REDACTED]  
09:54:57 11 [REDACTED]  
09:55:00 12 [REDACTED]  
09:55:03 13 [REDACTED].

09:55:06 14 So it's more of an indication of where a  
09:55:10 15 person's current salary puts them with respect to the  
09:55:13 16 distribution of people at Apple -- the large part of the  
09:55:17 17 distribution of people at Apple that fall in that  
09:55:21 18 particular level.

09:55:21 19 Q. Okay. So a couple questions about that.

09:55:23 20 When -- is it fair to say that everybody who  
09:55:25 21 works for Apple has a title and a salary range  
09:55:29 22 associated with that title?

09:55:31 23 MR. RILEY: Object to the form.

09:55:35 24 THE WITNESS: I can't honestly say what happens  
09:55:38 25 outside of the part of Apple that I directly manage.

09:55:42 1 MR. SAVERI: Q. Let's just focus on the  
09:55:43 2 part -- with respect to the organization that you  
09:55:45 3 supervised, is it fair to say that everybody that  
09:55:47 4 was in that organization had a job title and a  
09:55:50 5 salary range associated with that job title?

09:55:53 6 A. I think they have a job level.

09:55:57 7 Q. Okay.

09:55:58 8 A. Titles are something a little different. They  
09:56:01 9 have a job level.

09:56:02 10 Q. I'm sorry. And maybe it makes sense to be  
09:56:04 11 relatively precise about that.

09:56:05 12 A. They have a job level and there are guidelines  
09:56:09 13 that I was given that cover the distribution of all  
09:56:13 14 levels in my organization.

09:56:14 15 Q. And when you were -- did you -- did you use  
09:56:20 16 that information as part of your annual determination of  
09:56:25 17 compensation for the people that reported to you?

09:56:30 18 MR. RILEY: Object to the form.

09:56:31 19 MR. SAVERI: Q. When I say that, I mean  
09:56:33 20 the information that you received on job level and  
09:56:35 21 salary ranges associated with job levels.

09:56:37 22 MR. RILEY: Same objection.

09:56:40 23 THE WITNESS: Yeah. I'm a little unclear.  
09:56:41 24 When you say "use," in what form do you mean "use"?

09:56:44 25 MR. SAVERI: Q. I was using it maybe

09:56:46 1 euphemistically and broadly. I think you said that  
09:56:50 2 you had a role or responsibility for compensation  
09:56:54 3 decisions with respect to the people that reported  
09:56:56 4 to you.

09:56:56 5 A. Uh-huh.

09:56:57 6 Q. And I asked you about what kind of information  
09:56:59 7 you had, and one of the pieces you identified was this  
09:57:05 8 information from the HR people about levels of jobs and  
09:57:10 9 salary ranges associated with those jobs. So I'm trying  
09:57:13 10 to find out from you what use you made of that in your  
09:57:19 11 compensation determinations for the people that reported  
09:57:21 12 to you.

09:57:21 13 A. I see. [REDACTED]

09:57:29 14 [REDACTED]

09:57:36 15 [REDACTED] [REDACTED]

09:57:42 16 [REDACTED]

09:57:46 17 [REDACTED] [REDACTED]

09:57:48 18 [REDACTED]

09:57:51 19 [REDACTED]

09:57:54 20 [REDACTED]

09:57:58 21 [REDACTED]

09:58:02 22 [REDACTED] [REDACTED]

09:58:05 23 [REDACTED]

09:58:11 24 [REDACTED]

09:58:14 25 [REDACTED] [REDACTED]

09:59:39 1 take time off, their manager has to approve their time  
09:59:42 2 off.

09:59:43 3 Q. What about compensation?

09:59:46 4 A. Compensation is a little different in the sense  
09:59:50 5 that I believe the HR team ultimately inputs the results  
09:59:54 6 that we decide on in Merlin. But as -- in my line  
10:00:00 7 management, we don't -- I don't, and I don't think my  
10:00:03 8 managers use anything about Merlin as -- or really for  
10:00:11 9 anything. They use systems of employee rosters on  
10:00:17 10 spreadsheets and compensation on spreadsheets and all.

10:00:21 11 It's a spreadsheet system for my managers, but  
10:00:25 12 I believe at the end of the process that's all converted  
10:00:29 13 into Merlin because that's how people get their  
10:00:32 14 increases and their paychecks.

10:00:34 15 Q. Okay. We talked a little bit about how you  
10:00:37 16 reviewed individuals and you looked at the ranges and  
10:00:40 17 you talked about two -- you identified two different  
10:00:43 18 scenarios where you might pay attention to the ranges.

10:00:50 19 Well, let me ask you this question. If -- to  
10:00:53 20 what extent did you have your -- did you have authority  
10:00:57 21 to approve base compensation for a particular person  
10:01:01 22 outside the established salary ranges for the job level?

10:01:10 23 A. Say again.

10:01:11 24 Q. Okay. To what extent did you have authority to  
10:01:14 25 approve a base compensation for a particular employee

10:01:18 1 which was outside the established range for that  
10:01:21 2 particular person's job level?

10:01:26 3 A. Yes. I believe I had complete authority.

10:01:28 4 Q. Okay. So if you wanted to pay someone twice  
10:01:34 5 what -- what the highest -- what the upper limit is for  
10:01:40 6 a particular salary range for that person's job level,  
10:01:45 7 you had authority to do that without review from  
10:01:49 8 anybody?

10:01:50 9 A. No, I didn't say that.

10:01:51 10 Q. Okay. I'm trying to understand what you meant,  
10:01:53 11 then.

10:01:54 12 A. I -- I believe, as a senior vice president in  
10:01:58 13 the company, my responsibility was to manage that system  
10:02:02 14 every year and produce a result that was in keeping with  
10:02:09 15 what our employees did and what they contributed, and to  
10:02:14 16 do that in a -- in a fair and equitable way based on  
10:02:21 17 what they contributed to the company.

10:02:23 18 I produced a result every year, and my  
10:02:26 19 recollection is that that result that I -- that I  
10:02:31 20 produced, was approved.

10:02:35 21 Q. Okay.

10:02:36 22 A. I don't recall my manager ever coming back to  
10:02:39 23 me and saying you know that thing you did was  
10:02:42 24 ridiculous. Now, I don't consider anything that I ever  
10:02:45 25 did to be ridiculous, so the fact that he agreed with me

10:02:48 1 seemed to make sense.

10:02:50 2 But I don't -- I do not have the right to do  
10:02:55 3 ridiculous things in Apple. And I believe if I did,  
10:02:59 4 they would be subject to review by my manager.

10:03:02 5

Q. [REDACTED]

10:03:05 6 [REDACTED]

10:03:10 7 [REDACTED]

10:03:15 8

A. [REDACTED]

10:03:16 9

Q. [REDACTED]

10:03:21 10 [REDACTED]

10:03:26 11 [REDACTED]

10:03:32 12

A. [REDACTED] [REDACTED]

10:03:39 13 [REDACTED]

10:03:44 14 [REDACTED]

10:03:50 15 [REDACTED] [REDACTED]

10:03:54 16 [REDACTED] [REDACTED]

10:03:58 17 [REDACTED]

10:03:58 18 Q. Right.

10:03:59 19

A. [REDACTED]

10:04:04 20 [REDACTED]

10:04:09 21 [REDACTED]

10:04:12 22 [REDACTED]

10:04:15 23 [REDACTED] [REDACTED].

10:04:18 24 Q. Right.

10:04:19 25

A. And that happens --

10:04:30 1 (Brief interruption.)

10:04:33 2 THE WITNESS: I'm sorry, I forgot where I was.

10:04:35 3 But I guess my comment, yes. [REDACTED]

10:04:42 4 [REDACTED]

10:04:45 5 [REDACTED]

10:04:48 6 [REDACTED]

10:04:52 7 MR. SAVERI: Q. When you received a  
10:04:53 8 spreadsheet for particular employees, did you -- did  
10:04:56 9 the material you received indicate the company  
10:05:00 10 established salary range for that job level?

10:05:06 11 A. As I recall, [REDACTED]  
10:05:09 12 [REDACTED] [REDACTED]  
10:05:15 13 [REDACTED]  
10:05:17 14 [REDACTED]  
10:05:23 15 [REDACTED].

10:05:26 16 [REDACTED]  
10:05:28 17 [REDACTED]  
10:05:34 18 [REDACTED] [REDACTED]  
10:05:37 19 [REDACTED]  
10:05:40 20 [REDACTED]  
10:05:45 21 [REDACTED]

10:05:46 22 Q. Okay. During the time that we've been talking  
10:05:51 23 about when you were at Apple, did you -- did your  
10:06:01 24 organization -- let me back up.

10:06:05 25 I think you said you joined Apple when I -- was

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8 I further certify that I am not of counsel or  
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10 foregoing proceeding and caption named or in any way  
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15 In witness whereof, I have hereunto set my  
16 hand this day: April 23, 2013.

17 \_\_\_\_\_ Reading and Signing was requested.

18 \_\_\_\_\_ Reading and Signing was waived.

19  X  Reading and signing was not requested.

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GINA V. CARBONE

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CSR 8249, CRR, CCRR

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